



Road Variances

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A DDES Customer Information Bulletin



King County Department of Development and Environmental Services
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<http://www.metrokc.gov/ddes/>

Frequently Asked Questions

King County DDES has created customer information bulletins to inform the general public about the effect of codes and regulations on their projects. These bulletins are not intended to be complete statements of all laws and rules and should not be used as substitutes for them. If conflicts and questions arise, current codes and regulations are final authority. Because the codes and regulations may be revised or amended at any time, consult King County staff to be sure you understand all requirements before beginning work. It is the applicant's responsibility to ensure that the project meets all requirements of applicable codes and regulations.

Table of Contents

How do I apply for a road variance?	2
What if my request is denied?	3
Additional information	3
Other bulletins that may be helpful	4

How to request a variance from road standards

This bulletin provides information about when and how you should apply for a road variance when your project cannot be designed and built entirely in conformance with adopted standards. Approval of a road variance allows you to depart from required standards in the way(s) specified. All road and facilities required as part of a development proposal in unincorporated King County must be designed and built according to the King County Road Standards.

Technical information about the road variance process is contained in Section 1.08 of the King County Road Standards and in Administrative Rule PUT 10-2 (PR), King County Code (KCC) 14.41, *Procedures for Requesting Variances*. All of the documents mentioned above can be reviewed or purchased at the King County Department of Development and Environmental Services (DDES).

When do I have to apply for a road variance?

You have to apply for a road variance when one of the following applies to your project:

1. You propose road and/or drainage improvements that are not prescribed in the standards.

Frequently Asked Questions

2. Adopted standards do not address your particular site conditions, or do not contain product specifications called for by the designer.
3. You propose **not** to meet an applicable requirement of the standards.
4. Application of the standards may deny reasonable use of your property.
5. You want to appeal the preliminary approval conditions relating to roads for short plats.
6. You want to vest your project to the most current adopted road standards.

Generally, a road variance is not needed if the design of your improvements exceeds the standards for those improvements.

Your request for a road variance must be submitted after the preliminary project application is submitted. If, however, the feasibility of the entire project depends on approval of a road variance decision, you will be allowed to request the road variance before submitting the project application.

Road variances must be approved before construction. You face the risk of costly reconstruction or removal of substandard work if the road variance request is denied, or if it is approved on the condition that specific work must be done.

How do I apply for a variance?

Separate applications are required for road variances. Application forms are available at the DDES offices.

The design engineer for your project should complete the application forms for a road variance. To help expedite the review process, include the following information with your application:

- ◆ Identification of the specific sections and requirements of the King County standards that will be varied.
- ◆ A detailed justification for requesting a road variance; i.e. that the proximity of existing development and limited right-of-way makes it necessary. (See the King County Road Standards to review the criteria for granting a road variance.)
- ◆ All relevant review information, such as preliminary approval conditions, vicinity maps, photographs, engineering plans, or sketches to illustrate the impact of applying King County standards to the project.
- ◆ A description of any proposed work designed to mitigate impacts created by the road variance. This must show that your proposal provides a public benefit that is equal to or better than that which would result without a road variance.
- ◆ Photographs of existing conditions.
- ◆ An assessor's map with the boundaries of your parcel highlighted.
- ◆ Payment of the required fees.

Note: Financial costs associated with meeting standards will not be considered by the County as sufficient justification for granting a road variance or adjustment.

Frequently Asked Questions

There is no guarantee that your request will be approved. King County may grant your road variance if you are able to show the following:

1. That the road variance is in the public interest.
2. That it meets the objectives of safety, function, fire protection, appearance, and maintainability.
3. That your designs are based on sound engineering judgment.

What happens to my application after I submit it?

A Road Variance Review Committee consisting of engineers from DDES will review your application. A field inspection may be made to determine the accuracy and completeness of your application, as well as to check existing site conditions. In some cases, the committee may ask for additional studies or more information.

The committee will review your alternative designs and evaluate your application, taking into consideration public interest and design considerations. DDES staff will make a recommendation to the Department of Transportation, which may adopt, deny, or modify DDES' recommendations.

If the road variance involves road standards, the King County Road Engineer at the Department of Transportation will make the final determination.

If there is an "experimental" adjustment to the requirements of the Surface Water Design Manual, the Department of Natural Resources (DNR) will make the final determination.

If there is a "standard," "complex," or "pre-application" adjustment to the current Surface Water Design Manual, the DDES Director, or designee, will make the final decision.

Many road variance requests that are approved contain conditions. Such conditions then become part of the approved plan and must be adhered to.

The road variance request becomes part of your permanent development record, whether it is approved or denied.

What if my request is denied or I am dissatisfied with the approval conditions?

If your request for a road variance is denied, you should reconsider and redesign your proposal to meet the standards. If you are not satisfied with the determination made by the King County Road Engineer, or if redesign is not possible, you may appeal a decision of the King County Road Engineer to the Director of the Department of Transportation who issues the final decision. Once you have made this appeal, there is no further appeal process to the Director's decision.

If you have further questions regarding the appeal process, contact the Land Use Services Division of DDES.

Frequently Asked Questions

For additional information

For information regarding road variances, contact the following technicians:

- ◆ Commercial Permit Technician – 206-296-6600
- ◆ Residential Permit Technician – 206-296-6600
- ◆ Land Use Counter Technicians – 206-296-6655

For information on road standard variances routed to the Department of Transportation, call the Road Standards and Variances Engineer in Public Works at 206-296-3783.

Other variances

DDES also deals with requests for variances from requirements other than those relating to roads and drainage. Often, proposals involve encroachments into building setback requirements, restrictions in sensitive areas, or development in floodplain hazard areas. Please note that such proposals require a shoreline variance from the Shoreline Master Program or variances from the Zoning Code, rather than from the road standards.

The Land Use Services Division of DDES reviews these other types of variances. For more information on such variances, call a zoning technician at 206-296-6655.

Other bulletins and telephone numbers that may be helpful

Bulletin 1	Building and Development Permit Telephone Numbers
Bulletin 9	Obtaining a Residential Building Permit
Bulletin 16	Shoreline Erosion Control
Bulletin 21	Sensitive Areas Review
Bulletin 26	The SEPA Process
Bulletin 29	Drainage Reviews
Bulletin 34B	Surface Water Design Manual Variances and Adjustments
206-296-6600	DDES Permit Center
206-296-6640	DDES Site Development Services



King County complies with the Americans with Disabilities Act (ADA). If you require an accommodation to attend a meeting (two weeks notice) or require this information in Braille, audiocassette, or large print, please call 206-296-6693 or TDD 206-296-7217.